

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re, ELLEN BLANCHE LORCH, Debtor, VW CREDIT LEASING, LTD, Movant, v. ELLEN BLANCHE LORCH, SCOTT F. WATERMAN, Trustee, Respondents.	Bankruptcy No. 20-13796-amc Chapter 13 Related to Doc. No. 2
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OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

AND NOW COMES, Movant, VW Credit Leasing, Ltd. (the “Movant”) by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Objection to Confirmation of Chapter 13 Plan filed September 21, 2020, stating as follows:

1. Respondent, Ellen Blanche Lorch (the “Debtor”) filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on September 21, 2020 (the “Petition Date”).
2. Scott Waterman is the duly appointed Chapter 13 Trustee and is currently acting in such capacity.
3. On or about June 29, 2016, the Debtor leased a 2016 Audi A3, VIN# WAUB8GFF4G1039133 (the “Vehicle”), pursuant to a Motor Vehicle Lease Agreement – Closed End (the “Lease”) with the Movant. A true and correct copy of which is attached hereto as Exhibit “A”.

4. The Lease requires monthly payments of \$419.40 due on the 13th of the month through maturity on January 13, 2020.

5. As of the Petition Date, the outstanding balanced owed to the Movant by Debtor pursuant to the above-referenced Lease was \$23,033.80, which represents the remaining lease payments and maturity as of January 13, 2020. These amounts are reflected in the Proof of Claim filed by Movant on October 19, 2020 at Claim 9-1.

6. Debtor's Chapter 13 Plan filed September 21, 2020 proposes payment to Movant in the amount of \$23,033.00 without interest.

7. Movant objects to the Debtor's Plan because the Debtor is attempting to convert the expired Lease into a purchase. The Leased Vehicle is not property of the estate. The Lease must be either assumed or rejected.

WHEREFORE, Movant, VW Credit Leasing, Ltd., respectfully requests that this Honorable Court deny confirmation of Debtor's Chapter 13 Plan.

Dated: October 23, 2020

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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